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PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | Carl D. Wahlstrand; Ruchika Singhal; Robert M. Skime | Confirmation No. | 6690 |
| Serial No.: | 10/731,869 | | |
| Filed: | December 9, 2003 | Customer No.: | 28863 |
| Examiner: | Alyssa M. Alter | | |
| Group Art Unit: | 3762 | | |
| Docket No.: | 1023-318US01 | | |
| Title: | <u>MODULAR IMPLANTABLE MEDICAL DEVICE</u> | | |

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

The owner of record of a 100 percent interest in the above-identified application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the term of any patent granted on co-pending reference Application Nos. 10/730,878, 10/731,699, 10/731,867 or 10/731,868, and beyond the term of prior U.S. Patent Nos. 7,212,864 and 7,242,982. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on reference Application Nos. 10/730,878, 10/731,699, 10/731,867, and 10/731,868 and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents and any patents granted on the reference applications, as presently shortened by any terminal disclaimer, in the

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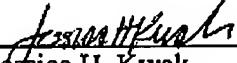
event that the prior patents and any patents granted on the reference applications later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, have all claims cancelled by a reexamination certification, are reissued, or are in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Date: August 20, 2008

By:

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